

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
JACKSON DIVISION

JEFFREY SCOTT GENTRY

PLAINTIFF

V.

CIVIL ACTION NO. 3:09CV173 DPJ-FKB

WEXFORD HEALTH SERVICES, ET AL.

DEFENDANTS

ORDER

This cause is before the Court on the Report and Recommendation of Magistrate Judge F. Keith Ball. Judge Ball recommended denial of Plaintiff's motion for a temporary restraining order. Plaintiff seeks an order compelling prison medical officials to provide appropriate medical treatment and schedule him for surgery.¹ As pointed out by Judge Ball, Plaintiff failed to alleges facts indicating that any of the prerequisites for temporary injunctive relief could be met. *See Miss. Power & Light Co. v. United Gas. Pipe Co.*, 760 F.2d 618 (5th Cir. 1985). The undersigned agrees with Judge Ball's conclusion. Moreover, in his objection, Plaintiff essentially concedes that he has not met the requirements to seek temporary injunctive relief.

IT IS, THEREFORE, ORDERED that the Report and Recommendation of United States Magistrate Judge F. Keith Ball be, and the same is hereby, adopted as the finding of this Court, and Plaintiff's motion for a temporary restraining order should be denied.

SO ORDERED AND ADJUDGED this the 27th day of May, 2010.

s/ Daniel P. Jordan III
UNITED STATES DISTRICT JUDGE

¹ Plaintiff's single filing was docketed by the clerk's office as a motion for a temporary restraining order, motion to show cause, and motion for preliminary injunction. This order disposes of all three docket entries.